

REMARKS

By the above amendment, claims 5 and 8 have been amended to recite the feature that the measurement window has “a reflection prevention film coated thereon”, as illustrated by the reflection prevention film coating 28, as illustrated in Fig. 11 of the drawings of this application, and as described at page 23, lines 7 - 10 of the specification, which indicates that in order to prevent the reflection of the laser light from influencing the detection, the window 25 is provided with a reflection prevention film 28 at the laser incident side. Applicants submit that such features when considered in conjunction with the other features of independent claims 5 and 8 patentably distinguish over the cited art, as will become clear from the following discussion. Additionally, by the present amendment, new dependent claims 14 and 15 have been presented which further define the location of the reflection prevention film.

The rejection of claims 5, 11 and 12 under 35 USC 103(a) as being unpatentable over Tsukazaki et al (US 5,837,094) in view of Gupta et al (US 6,125,789 A) and Hamelin et al (US 6,951,821 B1) and the rejection of claims 8, 9 and 13 under 35 USC 103 over Tsukazaki et al in view of Gupta et al are traversed insofar as such rejections are applicable to the present claims and reconsideration and withdrawal of the rejections are respectfully requested.

Irrespective of the Examiner's contentions concerning the disclosure of Tsukazaki et al having a measurement window 15d or Gupta et al having a window 341 or a window 343, for example, applicants submit for the reasons previously set forth, the combination does not provide the claimed features of the independent and dependent claims of this application, and neither Tsukazaki et al nor Gupta et al provide any disclosure or teaching of a measurement window having a reflection


prevention film coated thereon, as recited in independent claims 5, 8 and dependent claims 14 and 15. Further, it is apparent that Hamelin et al also provides no disclosure or teaching of a measurement window having a reflection prevention film coated thereon, as now recited in independent claims 5 and 8 and the dependent claims of this application. Accordingly, applicants submit that the cited art taken alone or in any combination fails to provide the structural features as now recited in independent claims 5 and 8 and the dependent claims, such that all claims should be considered allowable at this time.

In view of the above amendments and remarks, applicants submit that all claims should be in condition for allowance and issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 501.43537X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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